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Honorable Charles L. Brieant  
United States District Court  
Southern District of the State of New York  
300 Quarrapos Street  
White Plains, NY 10601

September 4, 2007

*Coxfire & Motion  
return date are scheduled  
for OCTOBER 26, 2007. 10:20 AM  
for ordered Charles L. Brieant  
9/13/2007 11:50*

Re: David E. McClain v. The Union Central Life Insurance Company  
Index No. 07 Civ. 5947

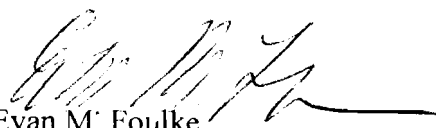
Dear Judge Brieant:

I represent plaintiff David McClain in this claim for wrongful termination of life insurance benefits.

I write with consent of my adversary to respectfully request an adjournment of the return date of defendant's motion for summary judgment and to adjourn the September 21, 2007 preliminary conference until the motion is fully briefed. I make this request to accommodate my busy work schedule which includes a trial scheduled to commence in Supreme Court Westchester County on September 6, 2007.

Accordingly, I respectfully request that Your Honor adjourn the September 21, 2007 preliminary conference until October 19, 2007. I also respectfully request that the return date on defendant's motion for summary judgment be adjourned until October 19, 2007, with opposition papers to be filed no later than September 27, 2007 and reply papers due on October 18, 1007.

Very truly yours,

  
Evan M. Foulke

EMF/jg

cc: Norman L. Tolle, Esq.